

**DOMESTIC RELATIONS REFORM STUDY SUBCOMMITTEE**  
**Meeting Minutes -April 26, 2002**

**PRESENT:**

Sidney Buckman  
Frank Costanzo  
Ella Maley  
Sen. David Petersen  
Kelly Campbell, by Brandi Brown  
Rep. Karen Johnson  
Ellen Seaborne  
Hon. Karen Adam  
Jay Mount

Jeff Zimmerman  
Jennifer Jordan, by telephone  
Terrill Haugen  
Rene Bartos  
Brian Yee  
Nancy Gray Eade  
Sanford Braver, by Bill Fabricius  
Gordon Gunnell  
Steve Phinney, by Rob Sundholm  
Janet Scheiderer

**NOT PRESENT:**

Debbora Woods-Schmitt  
Sen. Toni Hellon  
Rep. Mark Anderson

Sen. Mary Hartley  
Rep. Kathi Foster  
Ray Rivas (Alma Jennings Haught)

**GUESTS:**

Dave Norton, Phoenix Police Department  
Mark Armstrong  
Sydney Gleba  
Marianne Hardy, AZ House

**STAFF:**

Karen Kretschman  
Isabel Gillett  
Susan Pickard

**CALL MEETING TO ORDER**

The meeting was opened at 10:15 a.m. by Representative Karen Johnson.

**ANNOUNCEMENTS**

Rep. Johnson welcomed everyone and reminded public attendees to fill out orange speaker sheets if interested in the Call to the Public. Member designees for this meeting then introduced themselves to the group.

**APPROVAL OF MINUTES**

A quorum was present for minutes approval. The minutes for the March, 2002 meeting were unanimously approved as written.

## **STATUS OF MEMBERSHIP POSITIONS/NEW APPOINTMENTS**

Rep. Johnson announced the resignation of Sen. Toni Hellon. A replacement has not yet been designated by the President of the Senate.

## **PRESENTATION**

Dr. Bill Fabricius, member designee for Dr. Sanford Braver, gave a presentation on the effect of living arrangements after divorce from a young adults' perspective. His research examined the outcomes of divorce from the perspective of young adults who grew up with their parents' divorces, both as to parenting time and parent-child relations. Dr. Fabricius challenges the Wallerstein and Lewis study which has had a major impact on policy in connection with post-divorce living arrangements for children.

## **IFC WORKGROUP**

Ellen Seaborne reported on the status of the Integrated Family Court workgroup. She pointed out that the workgroup is making progress in that it has drafted a mission statement, a definition of "family," is working on the jurisdictional aspects (what kinds of cases are to be heard in family court) and has drafted a proposed framework. She also is concerned about funding for the project and the need for a legislative sponsor.

## **LEGISLATION**

Karen Kretschman reported that only one bill out of the several voted on during the March meeting has received any additional attention since the last meeting. HB 2169 (presumption for joint custody) was re-introduced as a strike-everything bill (H 2259) by Representative Johnson but was defeated 23 (for) - 32 (against) in the House. In addition, S 1088 has made it through both the Senate and House; it is on its way back to Sen. Hartley with the amendments made in the House (added 2 legislators back in, added the second judge/commissioner position and changed IFC deadline date to December 31, 2002).

The policy that was adopted last month to utilize a procedure for submitting statute, rule or procedural changes included a time line. According to the time line, ideas for changes are to be submitted at this meeting.

## **WORKGROUPS**

Representative Johnson was unable to rejoin the Subcommittee after lunch; Senator Petersen was her designee for chairing the remainder of the meeting.

The members of the Substantive law workgroup, the Education/prevention workgroup and the Court procedures workgroup met during the working lunch hour. The workgroups considered proposals for study and review for the next legislative session as follows:

### **Substantive Law Workgroup:**

Jeff Zimmerman reported that the workgroup has not finished its list of projected study tasks but will be working on the following topics:

- 1) Re-visit the child custody reform statute.
- 2) Relocation statute - regarding re-establishing the prior order when a parent returns to Arizona.
- 3) Cleanup to A.R.S. 25-408 regarding notice of intended relocation: does the certified letter go first or does one start the action first, or both at the same time?
- 4) Study of relocation statistics - what percentage of petitions to relocate are successful?
- 5) How do Orders of Protection relate to custody decisions; how does losing at the hearing after an Order of Protection is served impact custody decisions?
- 6) False allegations of domestic violence; how to deal with this problem and what are the incentives in the system to make such an allegation falsely?

- 7) Cleanup work regarding child custody; possible need for statistics.

**Court Procedures Workgroup:**

Dr. Brian Yee reported that many of this workgroup's topics have been subsumed by the Integrated Family Court workgroup. He reported that the Court Procedures workgroup would continue to focus on the IFC's mission as well as many of the topics mentioned by Jeff Zimmerman for domestic relations and domestic violence reform.

**Education/Prevention:**

Terrill Haugen reported that the workgroup had a good discussion about issues flowing from Dr. Fabricius' presentation. They suggested consideration of ways to incorporate Bill's findings and presentation into the judges' orientation training, the annual domestic relations bench training conference and into the training program for family evaluators. The group is still working on character development and communication skills; they want to make them a part of a state program somehow, focusing on high school students. They also are exploring ways to incorporate into the parent education classes: 1) a segment for children, and 2) the contents of Bill's research. They are also interested in the dissemination of information designed to prevent marital dissolution in the first place and enhancement of the "authentic learning" concept.

**NEW BUSINESS**

No new business was presented.

**CALL TO THE PUBLIC**

Sydney Gleba appeared and discussed her situation with an abrupt change of custody and removal of her child to another state.

**FUTURE MEETINGS**

The May, 2002 meeting will be held on the 24th (a Friday) in the State Courts Building, Rooms 119A/B with Senator Hartley as chair; Commissioner Adam and Judge Armstrong will provide a training for subcommittee members on A.R.S. Chapter 25.

The June 21, 2002 meeting will be held in Rooms 119A/B, State Courts Building.

**ADJOURNMENT**

The meeting was adjourned at 1:20 p.m. by Senator Petersen.